

EXHIBIT K

In the Matter Of:

UNITED STATES vs STATE OF GEORGIA

1:16-CV-03088-ELR

BROOKE COLE

October 27, 2022



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1 A Lara Sims.

2 Q Got it.

3 Do you know how long Ms. Sims held --

4 A She was the director for eight or nine years.

5 Q Eight or nine years. Okay.

6 Who do you report to?

7 A Multiple people. So for Bibb County, I report
8 to Jamie Cassady. He's my direct supervisor. And then I
9 also -- well, I don't report to other superintendents,
10 per se. I work with -- alongside of those -- those LEAs.
11 And then I also -- I don't know if you would say report
12 to, but I do -- I guess you can -- Vickie Cleveland and
13 LaKesha Stevenson.

14 Q Okay.

15 A Not in an evaluatory kind of way, though.

16 THE REPORTER: Not in a what way?

17 THE WITNESS: Like an eval -- evaluatory way,
18 evaluative way. They don't evaluate me. There you go.

19 Q BY MS. TUCKER: They don't evaluate you, but
20 they -- you report to them?

21 A Correct.

22 Q Okay. And, okay, earlier you said James
23 Cassady is the assistant superintendent?

24 A Jamie.

25 Q Jamie.

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1 A Uh-huh.

2 Q Thank you.

3 A You're welcome.

4 Q Assistant superintendent for Bibb County?

5 A Correct.

6 Q And Jamie Cassady does evaluate you?

7 A Yes.

8 Q Okay. But you report also to Vickie Cleveland
9 and LaKesha Stevenson?

10 A Correct.

11 Q And who are Vickie Cleveland and LaKesha
12 Stevenson?

13 A So Vickie is the program specialist. I think
14 that's what the GaDOE, Georgia DOE calls them for GNETS,
15 and then LaKesha is her right-hand lady.

16 Q So they are both at GaDOE?

17 A Yes.

18 Q Okay. How often do you report to Vickie
19 Cleveland and LaKesha Stevenson?

20 A We have GNETS directors meetings every month or
21 so.

22 Q Uh-huh.

23 A And so we do that.

24 And then if I have anything I need to talk to
25 them about, you know, I reach out to them or they reach

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1 leadership -- I mean our GNETS meetings, you know,
2 through Zoom. And then if I need something, I just call
3 or I e-mail. Most of the time I just pick up the phone
4 and call.

5 Q You had mentioned that you communicate them --
6 with them as needed?

7 A Uh-huh.

8 Q When -- can you describe an instance where they
9 would --

10 A Yeah.

11 Q It would be needed?

12 A So a big push for our program really for the
13 last eight years is to move a certain population of
14 student back to the LEA, and so that's something that I
15 want them to be aware of if anything ever trickles and
16 say I've irritated, you know, a special ed director or
17 something like that, if I rub somebody the wrong way.

18 Q What certain population are you referring to?

19 A To the GAA students.

20 Q And what does "GAA" refer to?

21 A Georgia Alternate Assessment.

22 Q Are there any other meetings that you attend
23 regularly as part of your job responsibilities?

24 A Outside of conferences, no.

25 Q Okay. What type of conferences do you attend?

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1 Q Okay. As director of Elam Alexander Academy,
2 do you view the student population as increasing,
3 decreasing, staying the same?

4 A We have steadily decreased.

5 Q Steadily decreased?

6 A Uh-huh.

7 Q Why do you think that is?

8 A Multiple -- well, I won't say multiple reasons.
9 When I first became director, we were at like 536 or so
10 kids. There was a lot of kids, and it was a higher
11 number of GAA students, so we had closer to 120-plus GAA
12 students.

13 Q Uh-huh.

14 A And just I felt like that needed to start being
15 pushed further out, so we -- we started pushing that
16 eight years ago, and we have decreased that population.
17 And also, just we're doing more work on the front end.
18 So you can request consultation, where we go in and maybe
19 observe the classroom or observe a student or help
20 develop an FBA, whatever it may be. So we do a lot of
21 work on the front end to decrease the amount of students
22 coming in.

23 Q Okay.

24 A So that helps, too.

25 Q Why have you done that? What has led to that

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1 work happening?

2 A So there was two packets created. It's a
3 request for consultation, which is that kind of work, or
4 a consideration for services. And so some things change
5 with the consideration of services packet. You know,
6 it's recommended, highly recommended that you have an
7 updated FBA, BIP, psychological evaluation.

8 Prior to that packet rolling out -- and that
9 was from the Department of Ed -- you could call an IEP
10 meeting and consider services without those things in
11 place. So that's fewer and far between.

12 Q Okay. So those documents you just referred to,
13 the packets, they were created by the Department of Ed?

14 A Correct.

15 Q And when was that?

16 A Oh, seven, eight years ago.

17 Q Okay. Thank you.

18 And then you mentioned that you have had less
19 GAA students; is that correct?

20 A Right. So we've -- we decreased that. We
21 started to reintegrate that population. We've probably
22 cut that population in half.

23 Q Okay. Thank you.

24 A Uh-huh.

25 Q Maybe we take a quick break?

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1 A Yes.

2 Q Is that required?

3 A It's through the -- it's through an IEP
4 process. So if the IEP team thinks that they do, then
5 they do.

6 Q Okay. And earlier you mentioned there are less
7 GAA students --

8 A Uh-huh.

9 Q -- than there used to be, correct?

10 A Yes.

11 Q Okay. And then has the numbers of Milestones
12 students changed over time?

13 A We've had a decrease all together.

14 Q Okay.

15 A Yeah.

16 Q Do you think there is a decrease of one
17 population more than the other?

18 A For me, I would say off the top of my head,
19 probably GAA, just because that's been a big push for us.

20 Q Uh-huh. Okay.

21 And then are there other tracks not captured by
22 Milestones or GAA?

23 A No.

24 Q Okay. All right. We are going to come back to
25 this electronic exhibit, but I am going to show you a

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1 paper exhibit as well.

2 A Okay.

3 MS. TUCKER: So I'd like the court reporter to
4 mark this document as Plaintiff's Exhibit 566.

5 (Plaintiff's Exhibit 566 was marked for
6 identification.)

7 Q BY MS. TUCKER: Okay. The Bates number on the
8 first page of this document reads GA00322208. This is an
9 e-mail thread between you and Vickie Cleveland, dated
10 May 16th, 2018, and the subject reads, "GAA Guidance."

11 Ms. Cole, do you recognize this e-mail thread?

12 A Yes.

13 Q Okay. Let's go to the earliest e-mail in the
14 thread with a time stamp of 12:07 p.m. at the bottom.

15 Do you see it?

16 A Yes.

17 Q Okay. Do you see where you wrote, quote -- and
18 this is to Vickie Cleveland with GaDOE: "Can you give me
19 some guidance in regards to staffing in new students into
20 these types of classrooms?"

21 Oh, I apologize. I -- scratch that. Let's go
22 to the earliest e-mail with the time stamp of 12:07 p.m.
23 Do you see where you wrote, "I know that GNETS providing
24 main center services for students that are served through
25 the GAA has been an issue."

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1 What do you mean by "has been an issue"?

2 A So that came to my attention early on when I
3 became director.

4 Q Uh-huh.

5 A Because every GNETS program is different, and
6 so some -- well, most have a smaller number of students
7 that are GAA, and we are probably the largest program in
8 the state --

9 Q Uh-huh.

10 A -- for students of GAA, that are under GAA.
11 And so it became an issue that we really needed to
12 reintegrate those students back out because about
13 appropriateness of the setting.

14 Q Okay. How -- how did it become an issue how --

15 A So it was brought to me early on, I believe,
16 and it was Nakeba that was the program specialist at DOE.
17 When she first came in and did a site visit, it was like,
18 yeah, I just don't think this is appropriate.

19 Q And why was it not appropriate?

20 A She didn't feel like those students should be
21 served in a GNETS setting, that they could be served at
22 their districts.

23 Q Okay. And this is Nakeba Rahming?

24 A Yes.

25 Q Who was with the Georgia Department of Ed?

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1 A Yes.

2 Q And she raised this to you in feedback?

3 A Yes.

4 Q Okay. And then do you see where you wrote,
5 "Can you give me some guidance in regards to staffing in
6 new students into these type of classrooms? Should I
7 just allow it be an IEP decision?"

8 A Correct.

9 Q What did you mean?

10 A So an IEP team can make that decision. It's
11 not a one-person decision. So if I, you know, felt like
12 it was an inappropriate placement, but I'm just one
13 member of the committee. I can't stop a placement.

14 Q Uh-huh.

15 A That's not my role. So that's what I was
16 asking, should the IEP be able to convene and make that
17 decision.

18 Q Uh-huh.

19 A Even though, say, I didn't feel like that was
20 the best decision to be made or it was appropriate. And
21 that's what I was asking.

22 Q I understand.

23 What guidance did Vickie Cleveland provide to
24 you?

25 A Take it through the IEP.

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1 Q Take it through the IEP. Okay.

2 And did you have additional follow-up with
3 Vickie Cleveland after this e-mail thread about the GAA
4 quote/unquote issue?

5 A This is something we talk about quite often,
6 so --

7 Q Okay.

8 A -- yes.

9 Q Okay. Has Vickie Cleveland expressed the same
10 concerns that Nakeba Rahming expressed?

11 A Yes.

12 Q Okay. Why did you write to Vickie Cleveland
13 with this question?

14 A Because I wanted the answer in writing.

15 Q Okay. Do you write -- why?

16 A Because I wanted to be able to have something
17 in writing when I -- when I'm talking with other
18 directors of why we can't take students of this nature.

19 Q Have you had conversations with other directors
20 about the GAA student population?

21 A Yes. Oh, you mean special ed directors or
22 GNETS directors?

23 Q What did you mean?

24 A I meant special ed directors, yes.

25 Q Okay.

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1 A Yes.

2 Q So you've had conversations with special
3 education directors?

4 A Yes.

5 Q In your eight counties?

6 A Yes.

7 Q Okay. What did you tell them?

8 A We need to look at the appropriateness and look
9 at reintegrating students back into their -- to their gen
10 ed setting.

11 Q Did any special education directors express
12 concerns or have questions?

13 A Absolutely.

14 Q Can you talk more about that?

15 A Sure. So the -- the majority of these students
16 can be very physically aggressive. They do have --
17 exhibit these type of behaviors of physical aggression or
18 whatnot, and they rely heavily on GNETS for assisting
19 with those services. So that was a lot of the feedback,
20 is they were concerned about how they were going to
21 program these students when they get back.

22 Q Okay. Many have reintegrated; is that correct?

23 A Substantially, I would say. I mean, when I
24 first became director, we were at 120 or so GAA students,
25 and we're closer to 61, 62.

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1 Q Okay. And how is it working for them in their
2 home schools?

3 A So far so good.

4 Q And by "home schools," do we have the same
5 understanding that that's a neighborhood school, or is it
6 something different?

7 A It depends on how they program. So certain
8 districts may have a GAA classroom in each home school or
9 they may have a cluster. They may have them in a certain
10 zone. So it's not necessarily that there's a GAA
11 classroom in every school.

12 Q Got it. So if -- to make sure I understand
13 correctly, I -- if I was a GAA student who was
14 reintegrated back to a, quote/unquote, home school, it
15 may not be my neighborhood school?

16 A Correct.

17 Q Okay. But it's a general education school?

18 A Correct.

19 Q Thank you.

20 And did you speak with any other GNETS
21 directors about this issue?

22 A I mean, not really. We have conversations
23 about how that's -- you know, I have the highest number
24 and how this is a continual push for me.

25 Q Uh-huh. When do you have those conversations

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1 A Maybe about when we were implementing
2 trauma-informed care.

3 Q Uh-huh.

4 A I think I put that in writing. I'm not sure if
5 I did or not. And I was kind of using -- instead of
6 using the trauma-informed care, I was using restorative
7 practices in place of that, just to make sure it met the
8 same standard of practice. I can't -- but outside -- or
9 if I'm kicking back the grant back and forth of changing
10 locations, you know, I need you to send this back to me
11 so I can upgrade or update and move on. Things like
12 that.

13 Q Thank you.

14 MS. TUCKER: I'm going to introduce another
15 exhibit that I'd like the court reporter to mark as
16 Plaintiff's Exhibit 567. There you go.

17 (Plaintiff's Exhibit 567 was marked for
18 identification.)

19 Q BY MS. TUCKER: Ms. Cole, the Bates number on
20 the first page of this exhibit reads, GA00338963. This
21 is an e-mail thread where we have redacted student
22 personal identifiable information, and the most recent
23 e-mail is dated January 15th, 2019, from you to Vickie
24 Cleveland, and LaKesha Stevenson is copied. And the
25 subject reads, "ID Enrollment Information."

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1 Ms. Cole, do you recognize this e-mail thread?

2 A I do.

3 Q Let's start with the earliest e-mail with the
4 time stamp of January 15th at 10:27 a.m. And this is an
5 e-mail from Vickie Cleveland to you. Do you see where
6 Vickie Cleveland writes, "I have reviewed the Au/MID/MOID
7 data that you submitted"?

8 What does Au/MID/MOID refer to?

9 A So that's autism, mildly intellectually
10 disabled, and then moderately.

11 Q Moderately?

12 A Intellectually disabled.

13 Q Thank you.

14 And what data is Vickie Cleveland referring to
15 that you submitted?

16 A So I think in 2019 she was pulling numbers.

17 Q Okay.

18 A I can't -- I think it was, but we would -- from
19 time to time she would request numbers, you know, of
20 eligibility categories, things like that. I'm thinking
21 that's what it was.

22 Q So Vickie Cleveland requested eligibility --
23 student eligibility information related to your student
24 population?

25 A Yes, but I think she requested it statewide.

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1 Q Statewide?

2 A Yeah, for all of our -- all of the GNETS.

3 Q For all regional GNETS --

4 A Uh-huh.

5 Q -- programs?

6 And this time it was focused on Au, MID, and
7 MOID?

8 A Yes.

9 Q Okay. And does Vickie Cleveland -- how often
10 does she request this type of data?

11 A Not often.

12 Q Okay. And by "not often," do you mean annually
13 or?

14 A Not annually.

15 Q Okay.

16 A But sometimes it's -- I have to think. No,
17 it's not. I was going to say sometimes we submit it
18 through the grant, but we do not.

19 Q Student eligibility information?

20 A Right.

21 Q Is not in the grant?

22 A No.

23 Q Okay. And this was data that Vickie Cleveland
24 had requested of you?

25 A Yes.

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1 Q In all the regional GNETS programs?

2 A Yes.

3 Q Okay. Do you see that she continues, "I have
4 concerns regarding the enrollment numbers for these
5 disability categories," and that she wanted to discuss,
6 quote, the LRE of these students, end quote.

7 Do you see that?

8 A Yes.

9 Q Okay. What concerns did Vickie Cleveland share
10 regarding the enrollment numbers for these disability
11 categories?

12 A I can't -- probably the same as -- I'm gonna
13 say the same conversation; that they're not appropriately
14 placed.

15 Q Okay. Would these be GAA students?

16 A Yes, these are GAA students.

17 Q Okay. And has she expressed those concerns in
18 writing or on the phone or in person?

19 A Both.

20 Q Okay. And this is regular?

21 A I think the -- I called her about this probably
22 two months ago.

23 Q Okay.

24 A Because I was revisiting this again. It's
25 something I've been on for a while.

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1 Q Yes.

2 A But prior to that, I wouldn't say it's regular.

3 Q Okay. This is consistent, though, with the
4 conversations you were having with Nakeba Rahming as
5 well?

6 A Yes.

7 Q Okay. And what is meant by "LRE" here when
8 Vickie uses it?

9 A That's least restrictive environment.

10 Q Okay. And what did she want to discuss with
11 regard to the least restrictive environment of those
12 students?

13 A She's asking if we don't need to discuss a
14 transition back to their home school.

15 Q Okay.

16 A If they couldn't be served at their least
17 restrictive environment outside of GNETS.

18 Q Okay. Understood.

19 A Uh-huh.

20 Q Thank you.

21 And then let's look at the e-mail that you sent
22 in response, the one right above it, with the
23 5:06:56 p.m. time stamp. Do you see where you wrote, "I
24 still have requests for placement for GAA students... do
25 I need to tell them no more?"

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1 A Correct.

2 Q What did you mean here?

3 A I meant do I not -- do I need to tell them I'm
4 not even going to honor an IEP meeting; you can't call --
5 call our team to an IEP meeting? That's what I was
6 asking, do I need to tell them, no, we will not
7 participate in IEP meetings.

8 Q And who is "them?"

9 A Any county that -- any of my LEAs that request
10 services.

11 Q Okay. So you -- were you asking Vickie that
12 you would need to tell the districts that you would not
13 entertain a GNETS placement for these students?

14 A Correct.

15 Q Okay. And what was Vickie Cleveland's response
16 to you?

17 A I don't remember. I remember I have received
18 guidance that you can't deny someone a meeting. Like if
19 they request this of you, you have to come to the table.

20 Q Okay. Got it.

21 And then when Nakeba Rahming said that she did
22 not think GNETS was an appropriate placement for the GAA
23 students, why? What did she say? Why?

24 A Because it's -- their behavior is more
25 characteristic of their disability. So students that are

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1 maybe nonverbal, they may be hitting because that's their
2 means of communication.

3 Q Okay.

4 A And it was not an emotional behavior. It's not
5 derived from an emotional behavior.

6 Q Understand.

7 So GNETS program would be instead -- it's
8 supposed to serve students with the emotional behavioral
9 disorder characteristics?

10 A Right. Have some sort of an emotional
11 component to it.

12 Q Thank you.

13 And did Vickie Cleveland share the same
14 thought?

15 A She does share the same thought --

16 Q Okay.

17 A -- that they need to have some sort of
18 emotional component.

19 Q Okay. Thank you.

20 MS. TUCKER: I'm going to introduce another
21 exhibit. I'd like the court reporter to mark this
22 document as Plaintiff's Exhibit 568.

23 (Plaintiff's Exhibit 568 was marked for
24 identification.)

25 Q BY MS. TUCKER: Okay. This is an invite for a

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1 A Yes. And it's most likely like a social skills
2 kind of class.

3 Q Okay. So 5 segments is one class, and 5 times
4 6 equals 30; that's where we get the total of 30?

5 A Correct.

6 Q There's six classes?

7 A Correct.

8 Q Thank you.

9 Okay. Okay. And then you said consultative is
10 a touch base?

11 A It depends if it's direct or indirect. So it
12 could be that our teacher is talking with a teacher about
13 what's going on, just making sure everything is fine. If
14 it's not, it's where they're actually going in and
15 working with a specific student on social skills.
16 Something to that nature.

17 Q So you -- you would -- so this 5 consultative
18 is one class?

19 A Correct.

20 Q Okay. And those students aren't counted in the
21 total count?

22 A No.

23 Q Okay.

24 A No. Because I don't receive a lot of funding
25 for those students.

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1 Q Okay.

2 A Yes.

3 Q Thank you.

4 A Uh-huh.

5 Q And why is that?

6 A Because they are not receiving direct services
7 from GNETS like -- like a full-day service.

8 Q Okay.

9 A Because our -- well, go ahead.

10 Q Please.

11 A Okay. So our funding formula is different.
12 It's a rolling average, so it's not based on -- it's not
13 an FTE pull. It's a three-year rolling average. And so
14 I can't count a student -- I don't count a student if I
15 only see them, you know, one class.

16 Q And by "our funding formula," what do you mean?

17 A That's like the GNETS funding formula right
18 now.

19 Q The State --

20 A It has been, yes, from the State.

21 Q Okay. And how do you know when to count
22 someone?

23 A When they're with us a full day.

24 Q Okay. And when did you receive guidance on
25 this?

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1 A That's always -- it's always been.

2 Q Okay.

3 A It's just -- I just -- that's what I've been
4 taught.

5 Q Okay. This is how you were taught when you
6 started?

7 A It's been, from what I understand, how it's
8 always been.

9 Q Okay. How -- how were you taught when you
10 started as director?

11 A From experience.

12 Q From experience?

13 A I mean, like.

14 Q Okay.

15 A Yeah.

16 Q Okay. Did this happen when you became
17 director? Is that when you started --

18 A So I don't --

19 Q -- doing this?

20 A -- send up any data for my funding. So I don't
21 claim anybody like that. So if a county claims my --
22 claims students, they have to put a number 4 for GNETS,
23 and so that's pulled up from them. So I don't send
24 anything to the State for funding.

25 Q I understand.

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1 A Yeah, that's all from the LEA.

2 Q Okay.

3 A Uh-huh.

4 Q So it's not necessarily you not counting the
5 student, the consultative student then? I'm just trying
6 to understand.

7 A So they wouldn't receive the services from us.
8 They receive through -- the majority of their services
9 from whatever their IEP is from the gen ed. So their
10 department would receive those funds.

11 Q Got it.

12 A Yes.

13 Q Okay. Thank you.

14 A Uh-huh.

15 Q And then how is -- how are the segments
16 determined for each student?

17 A From the IEP.

18 Q From the IEP.

19 Can they be taken away without an IEP meeting?

20 A No, ma'am.

21 Q Could a student not attend a segment out for
22 disciplinary reasons?

23 A I don't understand the question.

24 Q So if a student was going to attend PE with a
25 gen ed -- general education class and they were in

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1 are school-based.

2 Q Okay. And do you know that they are tapping
3 into those resources?

4 A Yes.

5 Q And how?

6 A Because Steven tells me.

7 MS. TUCKER: I'd like the court reporter to
8 mark the following document as Plaintiff's Exhibit 570.

9 (Plaintiff's Exhibit 570 was marked for
10 identification.)

11 Q BY MS. TUCKER: Ms. Cole, this is the Elam
12 Alexander Academy GNETS grant application for fiscal year
13 2022 that was printed off of the GNETS Web on March 15th,
14 2022. The Bates number on the first page of this
15 document reads Elam-18-822 -- or let's start over. It
16 reads Elam-3-18-22-Supplement-3467.

17 Ms. Cole, do you recognize this document as the
18 GNETS grant application for fiscal year 2022?

19 A Yes.

20 Q Okay. And fiscal year 2022 represented the
21 2021 to '22 school year, correct?

22 A Yes.

23 Q What is the GNETS grant application?

24 A That is all of this information that's
25 submitted to Department of Education.

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1 A I'm thinking that means if I -- if there's a
2 new like position created.

3 Q Okay.

4 A That's what I am thinking this is.

5 Q Okay. And then looking at the totals, am I
6 reading correctly that for fiscal year 2022, you had 82
7 total staff, the Elam Alexander Academy did, and they
8 were all existing staff?

9 A Probably, yes.

10 Q I'll let you take a look. It's just those two
11 pages.

12 A Yes. Yeah, that's what it says.

13 Q Okay. And then of these 82 positions, am I
14 correct that all 82 are State grant funded?

15 A Yes.

16 Q And this represents the staffing at all Elam
17 Alexander Academy sites, whether they are centers or
18 school-based?

19 A Yes.

20 Q For this school year, the 2022/'23 school year,
21 are all positions State grant funded as well?

22 A I believe so, but I would have to look back at
23 my grant.

24 Q Let's flip to page 5 of this document, the
25 grant application.

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1 Q Okay. Is that something that you have explored
2 with Bibb?

3 A I think we've had conversations about it
4 through the IEP process.

5 Q Uh-huh.

6 A But not -- not often.

7 Q Earlier we spoke a little bit about a grant
8 that GaDOE offers to receive funding for social worker
9 services. Do you recall that?

10 A Yes.

11 Q Okay. And have you considered applying for
12 such a grant?

13 A So that grant changed. So when that first
14 rolled out, it was for those programs that didn't have
15 social workers. And now there's a pot of funds. I think
16 it's for three -- it's for three years. It started last
17 year. And you can tap into that, and we can contract
18 with people there. So I do have access to that now.

19 Q So you are a recipient of that GaDOE grant for
20 social worker services?

21 A It's not just social worker. It's just
22 therapeutic services.

23 Q Just therapeutic services?

24 A Right.

25 Q What's that grant called?

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1 A I don't remember.

2 Q But it's from GaDOE, and it's to receive
3 therapeutic services?

4 A Correct.

5 Q And do you submit that to Vickie Cleveland and
6 LaKesha Stevenson?

7 A Right. If I were to do contract work -- so I
8 did contract work with a social worker last year, and so
9 she would have a log that she would have to complete, and
10 I would send it to them.

11 Q You would send your social workers' log to
12 Vickie and LaKesha?

13 A Correct.

14 Q How often?

15 A Monthly.

16 Q Monthly.

17 Do they ask questions about it or if they
18 didn't have it?

19 A If they didn't have it or if they had questions
20 about services, they would. But I didn't -- I didn't
21 have any questions.

22 Q Okay. And this is for three years?

23 A It's three years.

24 Q Okay. And you used it to fund a social worker?

25 A Correct.

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1 Q Is there enough money to fund other positions,
2 too, or?

3 A No. Well, no. So now I think it's about -- I
4 think I have about \$60,000, so I'm in the process of
5 meeting with a company. They are called Team PBS, and so
6 they do BCBA type work, and so we have a meeting
7 scheduled so that I can contract with them for BCBA type
8 work.

9 Q And this would be funded through this GaDOE
10 grant?

11 A Correct.

12 Q And if you were to contract with this BCBA,
13 would you then have to send a similar log to GaDOE?

14 A Yes.

15 Q Okay. Thank you.

16 Okay. Earlier you mentioned that the Burke
17 Campus moved when the Ridge campus closed; is that
18 correct?

19 A Yes.

20 Q Okay. And what -- about when was that? I
21 apologize.

22 A You're fine. Probably 13 years ago.

23 Q Okay. And what was -- you said Burke Campus
24 had been remodeled. What was it before?

25 A It was a -- Burke Elementary School.

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1 Q Okay. What are file reviews?

2 A So she -- we were asked to complete file
3 reviews for every student that was receiving services
4 through GNETS, and that would be like from their gtiD to
5 their eligibility category. It's a lot of the
6 information that was on like the guiding questions. Like
7 it was pretty much that kind of information --

8 Q Uh-huh.

9 A -- for every student that was receiving
10 services.

11 Q And by "guiding questions," do you mean the
12 GaDOE guiding questions document we looked at earlier?

13 A Correct. So it asked questions like that, when
14 were they placed, when did they exit, that type of thing.
15 It was -- it's pretty extensive.

16 Q Okay. And you completed this for -- you had to
17 complete this for all your students?

18 A Yes.

19 Q At centers and school-based locations?

20 A Correct.

21 Q Okay. And did -- was -- and this was requested
22 by Vickie Cleveland and LaKesha Stevenson?

23 A Correct.

24 Q Did they share the purpose for the file review?

25 A No.

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1 THE VIDEOGRAPHER: The time is 5:27 p.m., and
2 we are off the record.

3 (The deposition was at recess from 5:27 p.m. to
4 5:44 p.m.)

5 THE VIDEOGRAPHER: The time is 5:44 p.m., and
6 we are on the record.

7 MS. TUCKER: Thank you.

8 Q BY MS. TUCKER: Ms. Cole, earlier you mentioned
9 the GNETS strategic plan?

10 A Yes.

11 Q And you said that this year it's being wrapped
12 into the GNETS grant application, correct?

13 A So that started last year.

14 Q Last year?

15 A They pushed some of that information into the
16 grant.

17 Q Okay. Let's take the strategic plan prior to
18 last year. What -- what was the strategic plan then?

19 A So actually we were on a three-year rolling.
20 It was -- it was based on -- so you have information from
21 my last that I did?

22 Q Uh-huh.

23 A Because I was at 100 percent. So then once I
24 reached 100 percent, then they would not monitor me again
25 for three years. So it was artifacts regarding

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1 instructional -- instructional practices, behavioral
2 practices, fiscal management, things to that nature.

3 Q Okay. So when did you last receive 100
4 percent?

5 A Three or four years ago.

6 Q Okay. Would it be in 2019? Does that sound
7 right?

8 A It does sound right.

9 Q Okay.

10 A I think I provided that --

11 Q Yeah.

12 A -- outcome.

13 Q I'm happy to share that really fast.

14 Okay, I have my folder somewhere.

15 MS. TUCKER: Okay. I'd like for the court
16 reporter to mark this document as Plaintiff's Exhibit
17 580.

18 (Plaintiff's Exhibit 580 was marked for
19 identification.)

20 Q BY MS. TUCKER: Ms. Cole, this is a July 1st,
21 2019 letter to you from Vickie Cleveland. The GaDOE logo
22 is on the top. The Bates number on the bottom reads
23 Elam-3-18-22-Supplement-3492.

24 Do you recognize this letter?

25 A Yes.

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1 Q Is this what you are referring to a moment ago?

2 A Yes.

3 Q Okay. So this is a 2019 letter, and it
4 reflects GaDOE providing a 100 percent score to Elam
5 Alexander Academy on the strategic plan, correct?

6 A Correct.

7 Q Okay. And then are you saying that when you
8 receive 100 percent you are then not monitored for how
9 long?

10 A I believe it was like three years.

11 Q Three years. So if this was in 2019 -- so
12 that's for 2018 to 2019 school year?

13 A Correct.

14 Q Okay. So then when would you have been up to
15 be re-reviewed?

16 A I believe it was last year.

17 Q Okay.

18 A Or the year before. I can't recall.

19 Q Okay. So either school year 2021 or school
20 year '21/'22?

21 A Correct.

22 Q Were you reviewed through the strategic plan at
23 any of those times?

24 A Not through that process because they pushed a
25 lot of like the artifacts that they wanted into the grant

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1 process.

2 Q Okay. So do the artifacts, were those
3 artifacts part of the grant process at any point before
4 then?

5 A No.

6 Q So the grant process became longer?

7 A Last year, yes.

8 Q Okay. So is -- as it -- would you just say
9 that they have like merged these two documents?

10 A I would say so, yes.

11 Q Okay. Were they on different timelines before?

12 A The strategic plan and the -- yes.

13 Q What were the timelines?

14 A So with the strategic plan, you -- they would
15 monitor programs at different dates. So if -- mine was
16 like in March, but I would just continuously upload --

17 Q Uh-huh.

18 A -- throughout the year.

19 Q Okay.

20 A And then it's much like the grant where you
21 would sign off, and then they can review.

22 Q Okay. Let's speak to this year where you
23 received the 100 percent.

24 A Okay.

25 Q What did that look like, that process look

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1 like?

2 A On my end?

3 Q Uh-huh.

4 A It was just gathering all of the artifacts I
5 have to demonstrate or show that I have met that
6 criteria.

7 Q Okay. And this is criteria set specifically by
8 GaDOE?

9 A Yes.

10 Q Okay. Did it involve any meeting with GaDOE?

11 A They did some training on it about what kind of
12 information they were looking for because it was, you
13 know, the different parts of the strategic plan, and then
14 how many artifacts they wanted for each.

15 Q And then for that year, was there a review
16 meeting where you discussed your artifacts or any of your
17 data with GaDOE?

18 A Yes.

19 Q Okay. What does that meeting look like?

20 A We would go through each section. We would
21 look at what I have uploaded and how that met the
22 criteria, any additional information they may want to
23 see, that kind of thing.

24 Q Okay. And how long would those meetings last?

25 A A couple of hours.

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1 Q Okay. You don't recall a committee?

2 A I don't.

3 Q Okay.

4 A Maybe. I don't know.

5 Q It's okay.

6 So after 2019, you were not to be reviewed for
7 three years, and then that is now passed, correct?

8 A Correct.

9 Q And they are no longer doing the separate
10 strategic -- "they" being GaDOE, are no longer doing the
11 strategic plan in the same fashion?

12 A Correct.

13 Q Okay. So it's all a part of the grant
14 application?

15 A Yes.

16 Q Thank you.

17 What are your thoughts on the merging of the
18 two documents?

19 A I think it's fine.

20 Q Okay.

21 A I mean, there was a -- you upload a lot of the
22 same information, so...

23 Q Is there anything that was maintained in the
24 strategic plan that you had to collect that's not
25 included in the grant app?